

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

MICHAEL W. CROW et al.,

07 Civ. 3814 (CM)

Defendants,

-and-

TREVOR CROW et al.,

Relief Defendants.

_____ X

MEMORANDUM ORDER DENYING MOTION
TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION

McMahon, J.:

The motion to dismiss is denied, for the reasons set forth in the Commission's brief. If the SEC fails to demonstrate any likelihood that securities fraud violations will recur, injunctive relief will not be appropriate. But that is a matter for the trial. Should the SEC meet its burden of proof, this Court unquestionably has subject matter jurisdiction to impose an injunction.

The Clerk is to mark all pending motions (including any letter motions that purport to join in the motion to dismiss) decided and remove them from the pending motions list.

The parties are scheduled to appear at an initial pre-trial conference on January 25 at 2 PM.

Dated: January 14, 2008



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